

1869-009

Chancery Causes: Wadsworth Turner & Co } vs. Vermillion & Adams }

Lee Co.

Adams, Wadsworth, Turner, Palmer, Vermillion, Adams, Hagan

CA-Debt

T-Property



To The Worshipful County Court of Lee  
County Virginia

The bill of Complaint of John E Wadsworth  
David B Turner and Palmer  
Merchants and partners in trade under  
the firm and style of Wadsworth Turner &  
respectfully represent that Douglas &  
Vermillion and Alexander Adams late  
Merchants and partners in trade under  
the firm and style of Vermillion &  
Adams is justly indebted to them  
in the sum of \$526.03 with interest thereon  
from the 2<sup>nd</sup> day of May 1860, To them  
which said complainants allege that  
on the 2<sup>nd</sup> day of April 1860 the said  
Vermillion & Adams were indebted to the  
Complainants in the sum of \$645.09 and  
for this sum they executed to complainants  
their promissory note signed by them with  
their firm name whereby they the said  
Vermillion and Adams promised to pay  
Complainants six months after the date of  
said note the said sum of \$645.09, for  
value received, but payments subsequently  
made have reduced the amount due on  
said note to \$526.03 due on the 2<sup>nd</sup> day  
1860, said note is herewith filed  
marked, A, and prayer to be  
taken and considered as part of the  
bill, complainants allege that the  
said Vermillion and Adams are  
non-residents of this Commonwealth.



And that the said Alexander Adams  
owns and has an interest in real estate  
in the said county of Lee in the following  
tracts of lands to wit 100, 159 and  
50 acre tracts situated on the north  
side of Pauls river S. W. of the  
court house distance about 9 miles,  
also 75, 30 and 100 acre tracts  
lying on the waters of Yellow  
Creek and Etowah about  
the same distance and bearing  
from the said court house  
The said lands have descended from  
William Adams dec'd to said Alexander & his brothers  
Now the object of this bill is to obtain  
a decree against the said Vermillion  
and Adams for the amount due from  
them to complainants as before stated  
and to subject the interest of the said  
Adams in the said lands to the payment  
thereof. Your complainants pray  
therefore that the said Douglass &  
Vermillion and Alexander Adams be  
made party defendants to this bill and  
answer its allegations upon oath, and  
upon a hearing a decree be rendered  
in favor of complainants for the amount  
of their claim and decree the interest  
of the defendant Adams in the lands  
above mentioned or so much thereof  
as may be necessary to be sold to  
satisfy complainants claim with legal

costs, and grant further and enforce  
relief. May summons issue be  
Hagan



Wardsworth Turner & Co

vs } In ch. on  
foreign attach!

Kimmillion & Adams

Exhibit papers

1866 July Rules Bill filed &  
C. Pub. against defendants.  
" Aug. Continued.  
" Sept. - C. S. Corbett & Decent  
" Oct. Decree nisi Continued  
& Cause set for hearing  
1868 Aug Term Continued  
" Sept. Continued  
" Oct. Continued  
" Nov. & Dec. Continued  
1869 Jan. Feb. April May  
" June Continued  
" July Decree Fiscal

67.62  
" 5.00  
Dr 5.00  
17.62

Clerks cost to July 1867. Made out and paid \$4.44 by P. Hagan  
" and to July 1869

3.82

15.82

2.22



Wadsworth Lumber & Co.

against  
Permillion & Adams

plffs }  
defts } In of

This Cause came on this day to be heard on the bill of the plaintiffs which is filed and was argued by Counsel and it appearing to the Court that process has been duly executed <sup>on defendants</sup> and they still failing to appear or answer the bill is taken for confessed.

But the Counsel for the plaintiffs states in open Court that the debt for which this Suit has been instituted has been paid to the plaintiffs since the bringing of this Suit and nothing more remains of this claim except the costs of this Suit - it is therefore adjudged ordered and decreed that the plaintiffs against the defendants their costs be expended and that the Sheriff of this County sell such fractional part of the real estate levied on by virtue of the attachment in this Cause as will satisfy <sup>and for such part which he may sell he will make a deed to the</sup> the same. And the Cause is stricken off the docket.

Sanborn



OB 481.

Wadsworth Lumber Co

22. { Lumber  
final

Kimball's Beddams



In the clerk's office of the County Court of Lee County The  
23<sup>rd</sup> day of June 1866

Wadsworth Turner & Co Complainants

against

Douglas Vermillion and Alexander Adams, Defs

} In law

Patrick Hagan attorney for Wadsworth Turner & Co.

personally appeared before the undersigned clerk of the County Court  
and made oath that that the claim of \$526.03 for which the  
plaintiffs in this suit have instituted the proceeding against  
the defendants, he believes to be just, and that the Compts,  
have present cause of action against the Defendants therefore  
that the Defendants are not citizens of the State of Virginia  
and that the Defendant Alexander Adams has Estate in  
the County of Lee

Given under my hand this 23<sup>rd</sup> day of June 1866.

Henry J. Morgan Clerk

Madsworth Turner & Co

vs. { Affiant

Million & Adams



\$645.00

Richmond April 2<sup>d</sup> 1860

Six Months after date, in the subscriber of Whitesburg  
County of Letcher and State of Kentucky promise to  
pay to the Order of Hadsenorth Turner & Co  
Six hundred and forty five . . . . . 00/100 Dollars,  
for value received.

Vermillion & Adams



Tumellon & Adams

\$645<sup>00</sup>

Dec Oct 2. 1860

Recd June 20<sup>th</sup> 1867  
of H. L. Morgan one  
hundred dollars paid  
him by permission  
on this note. And  
for which the said  
Morgan executed his  
receipt in my name  
P. Morgan atty



Mr. J. Vermillion & Adams      Whitesburg, Fitch County Kentucky  
 In account with Hadenworth & Inman & Co

1860	June 9.	To Merchandise bmd.		217.52
"	Oct 29	By Cash	7.50	
1861	July 25	By Cash	150.00	225.00
Due Vermillion & Adams on the above bill.				7.50

1860	April 2.	To Note at bmd.	645.09	645.09
	Int to 2 May 1866			216.07
				861.16

By the above due Vermillion & Adams on A/c

	Due 9 Dec 1860	7.50	
	Int to 2 May 1866	2.43	
1861	April 24	By Cash	250.00
	Int to 2 May 1866	75.20	335.13
	Due 2 May 1866		526.03



Wadsworth Turner & Co

25.

Kimball & Adams

A 70

[illegible]
$$\begin{array}{r} 3.18 \\ 444 \\ \hline 7.62 \end{array}$$



The Commonwealth of Virginia,

WE COMMAND YOU TO SUMMON

*Adams.*

TO THE SHERIFF OF LEE COUNTY, GREETING:

*Douglas J. Vermillion, and Alexander*

to appear before the Justices of our County Court for Lee county, at the Court House, in the Clerk's office, at Rules to  
be holden for the said Court, on the *First* Monday in *July* next, to answer a bill in Chancery  
exhibited in our said Court, against *them* by *John E. Wadsworth*

*David P. Turner, and - Palmer, merchants and partners.*  
*in trade under the firm and style of Wadsworth, Turner & Co.*

And have then there this writ. Witness, HENRY J. MORGAN Clerk, of our said Court, at the Court House,  
this *25<sup>th</sup>* day of *June*, 186*6*, in the *90<sup>th</sup>* year of the Commonwealth.

*William S. Laub D.* Clerk.







The Commonwealth of Virginia,

WE COMMAND YOU TO SUMMON

TO THE SHERIFF OF LEE COUNTY, GREETING;

*Douglas J. Vermillion, and Alexander Adams*

to appear before the Justices of our County Court for Lee county, at the Court House, in the Clerk's office, at Rules to  
be holden for the said Court, on the *First* Monday in *July* next, to answer a bill in Chancery  
exhibited in our said Court, against *them* by *John E. Wadsworth.*

*David B. Palmer, and*

*Palmer, merchants and partners*  
*in trade under the firm and style of Wadsworth, Turner & Co.*

And have then there this writ. Witness, HENRY J. MORGAN Clerk, of our said Court, at the Court House,  
this *25<sup>th</sup>* day of *June*, 186*6*, in the *90<sup>th</sup>* year of the Commonwealth.

*A Copy*  
*William S. Gaul D. Clerk.*  
*Note - William S. Gaul D.C.*



The proper affidavit, having been made the officer is ordered  
to attach the debt Alexander At Interest of the defendant  
Alexander Adams, in the lands of his late Father William Adams  
deceased, mentioned in the complainant's bill lying and being in  
the said county of Lo, and hold the same subject to the order  
of court.

Teste: William S. Saul. D.C.



The Commonwealth of Virginia,

WE COMMAND YOU TO SUMMON

*Adams*

TO THE SHERIFF OF LEE COUNTY, GREETING:

*Douglas I. Vermillion, and Alexander*

to appear before the Justices of our County Court for Lee county, at the Court House, in the Clerk's office, at Rules to be holden for the said Court, on the *First* Monday in *July* next, to answer a bill in Chancery exhibited in our said Court, against *them* by *John E. Wadsworth*

*David P. Turner, and Palmer, merchants and Partners.*  
*in Trade under the firm and style of Wadsworth, Turner & Co.*

And have then there this writ. Witness, HENRY J. MORGAN Clerk, of our said Court, at the Court House, this *25<sup>th</sup>* day of *June*, 1866, in the *90<sup>th</sup>* year of the Commonwealth.

*William S. Paul D.C.* Clerk.

*A Copy*

*To W. William S. Paul D.C.*



The proper affidavit having been made the officer is ordered  
to attach the interest of the defendant Alexander Adams in  
the lands of his late Father William Adams deceased, mentioned  
in the complainant's bill, lying and being in the said County of  
Lis, and hold the same subject to the order of Court.

Teste

William J. Paul D.C.



This is to certify that  
the annexed "Order" has  
been published for four  
successive weeks in the  
"State Line Gazette" a news-  
paper published in  
Goodson Washington County Va.

Coman Rice  
& Editors & Publishers

Sept 13<sup>th</sup> 1866

VIRGINIA:

At Rules held in the Clerk's  
Office of the County Court of Lee county, on  
Monday the 2nd day of July, 1866.

Wadsworth, Turner & Co., Complainants,

AGAINST

Douglass I. Vermillion and Alexander  
Adams, Defendants.

In Chancery.

The object of this suit is to recover of the  
Defendants the sum of \$526 05, due by note,  
and to subject to the payment thereof the inter-  
est of the defendant Adams in the lands in the  
bill mentioned, which has been levied upon by  
an order of attachment issued in this cause;  
And it appearing from an affidavit filed in the  
cause that the Defendants are non residents of  
this Commonwealth, they are therefore ordered  
to appear here within one month after due  
publication of this order and do what is neces-  
sary to protect their interest in this suit.

A Copy. Teste.

WILLIAM S. SAUL, D. C.

July 21, 1866—4w

Printer's fee, \$6